

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF MISSISSIPPI
NORTHERN DIVISION**

DAVID KEON BRAGGS

PETITIONER

VS.

CIVIL ACTION NO. 3:15-CV-00511-CWR-FKB

STATE OF MISSISSIPPI, ET AL.

DEFENDANTS

ORDER ADOPTING REPORT AND RECOMMENDATION

This matter is before the Court on Petitioner's Objection to the Report and Recommendation of United States Magistrate Judge Keith Ball entered on February 6, 2017, dismissing the Petition for Writ of Habeas Corpus pursuant to 28 U.S.C. § 2254. Having considered said Report and Recommendation, Petitioner's objections thereto, applicable statutory and case law, and being otherwise fully advised in the premises, the Court concludes that Petitioner's objection is without merit and hereby adopts, as its own opinion, the Report and Recommendation of the Magistrate Judge.

Based on the foregoing, it is ordered that the Report and Recommendation of United States Magistrate Judge F. Keith Ball entered on February 6, 2017, and the same is hereby, adopted as the finding of this Court. The matter shall be dismissed with prejudice.

Additionally, because Petitioner has not established that "jurists of reason would find it debatable whether the petition states a valid claim of the denial of a constitutional right and . . . whether [this] court was correct in its procedural ruling," *Slack v. McDaniel*, 529 U.S. 473, 484 (2000), no Certificate of Appealability shall issue.

A separate Final Judgment will be entered in accordance with Rule 58 of the Federal Rules of Civil Procedure.

SO ORDERED, this the 28th day of March, 2017.

s/ Carlton W. Reeves

UNITED STATES DISTRICT JUDGE